

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, HELD ON FEBRUARY 4, 2003.

**Board Members Present:**

**John F. Coates, Chairman**  
**Steven L. Walker, Vice-Chairman**  
William C. Chase, Jr.  
Sue D. Hansohn  
James C. Lee  
Brad C. Rosenberger  
Carolyn S. Smith

**Staff Present:**

Frank T. Bossio, County Administrator  
Valerie H. Lamb, Finance Director  
John C. Egertson, Planning Director  
Paul Howard, Director of Environmental Services  
Peggy S. Crane, Deputy Clerk  
Susanne Taylor, Human Resource Manager  
Carl Sachs, Director of Economic Development

**CALL TO ORDER**

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

**INVOCATION**

The Rev. W. B. "Billy" Scott, Pastor, Divine Life Full Gospel Baptist Church, read the poem "High Flight" in memory of the crew of Space Shuttle Columbia, prior to giving the invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Walker led the members of the Board and audience in the Pledge of Allegiance to the Flag.

**RE: AGENDA - ADDITIONS AND/OR DELETIONS**

Mr. Bossio asked that the following additions be made to the agenda:

Under **CONSENT AGENDA**, add:

- c. The Board will consider a request to solicit proposals for professional auditing services for all of the County's and School Board's financial records and reports; and
- d. The Board will consider a Resolution of Remembrance for the Astronauts of the Space Shuttle Columbia.

Under **GENERAL COUNTY BUSINESS**, add:

Item 4-A. Reading of Resolution of Remembrance for the Astronauts of the Space Shuttle Columbia into record.

Under **ADMINISTRATOR'S REPORT**, add:

2. Discussion of possible joint contract with School Board regarding a comprehensive wage and benefit survey; and
3. Discussion of a request by the School Superintendent for a Board of Supervisors' member to attend its Superintendent's luncheon on February 12<sup>th</sup>.

Mr. Lee moved, seconded by Mrs. Smith, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

### **RE: MINUTES**

The minutes of the January 7, 2003 regular meetings were presented to the Board for approval.

Mr. Walker moved, seconded by Mrs. Hansohn, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

### **CONSENT AGENDA**

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider approving an Operational Transfer for the Commissioner of the Revenue's Office for a Real Estate Appraiser in the amount of \$26,713;
- b. The Board will consider approving a budget amendment for the Sheriff's Office to use funds received from the sale of used weapons to offset other police supply costs in the amount of \$5,890;
- c. **The Board will consider a request to solicit proposals for professional auditing services for all of the County's and School Board's financial records and reports; and**
- d. **The Board will consider a Resolution of Remembrance for the Astronauts of the Space Shuttle Columbia.**

Mr. Walker moved, seconded by Mrs. Hansohn, to approve the Consent Agenda as amended.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

### **GENERAL COUNTY BUSINESS**

### **RE: SERVICE AWARDS**

Mr. Coates announced that the Board would recognize employees with 5, 10, 15, 20 and 25 years of service with the County.

Mr. Bossio offered best wishes for a speedy recovery to Mr. Leon Rector, an Airport employee, who was a patient in the University of Virginia Hospital.

Mr. Bossio read the names of those receiving awards, and Mr. Coates made the presentations for 5 years of service to Janice Estep, Mark William Nowacki, Betty C. Hall, Thomas N. Buckley, Bernard F. Feaganes III, William R. Myers, Terry N. Sargent, Susan J. Keller, Jeannie L. Chapman, and Dorenda D. Pullen; 10 years of service to Gary L. Close (unable to be present), Scott H. Jenkins, Terry A. Graham, Sharon J. Brock, and Pamela N. Scheirmeyer; 15 years of service to Linda Diana Amos (Mr. Chip Coleman accepted on behalf of Ms. Amos, who was unable to be present), James G. Mack, Anna L. Thompson (absent), Joey L. Jenkins (absent), Janet L. Kilby, E. Thomas Williams, and Rada L. McCawley; 20 years of service to Robert L. "Rocky" Peters, and Cherry H. Vanneman; and 25 years of service to Billy R. Ballard.

Mr. Bossio recognized members of the Board for their length of service: Mrs. Hansohn, 6 years; Mrs. Smith, 6 years; Mr. Coates, 10 years; Mr. Rosenberger, 16 years, and Mr. Chase, 21 years on the Board and 4 years on the Planning Commission.

**RE: RECREATIONAL ACCESS FUNDS**

Mr. John Egertson, Planning Director, asked for the Board's approval of a resolution requesting additional Recreational Access Road Funds for internal roads at the Culpeper Community Complex. He stated that the County had previously received Recreational Access Funds in the amount of \$299,000 (\$274,500 VDOT/\$24,500 local) to pave Jonus Road and construct 500 feet of access road into the Complex. He said that the estimated cost to cover approximately 1,750 feet of additional internal roads was \$135,000, with a 50 percent local match.

Mrs. Hansohn moved, seconded by Mr. Walker, to adopt the resolution requesting additional Recreational Access Road Funds.

Mr. Lee complimented VDOT for its timeliness in installing the turn lane arrow at Routes 3 and 522.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**RE: RESOLUTION OF REMEMBRANCE FOR THE ASTRONAUTS OF THE SPACE SHUTTLE COLUMBIA**

Mr. Bossio read the following Resolution into the record:

***Culpeper County  
Resolution of Remembrance  
for the Astronauts of the Space Shuttle Columbia***

**WHEREAS**, on February 1<sup>st</sup> 2003, the nation suffered immense tragedy with loss of the Space Shuttle Columbia, and

**WHEREAS**, the Columbia shuttle mission was one of international significance as evidenced by the diversity of this brave crew, and America's great outreach to share the knowledge of the exploration of space with other countries of the world, and

**WHEREAS**, this great country was founded on the tremendous courage and intelligence of the early explorers, and

**WHEREAS**, the tradition of the early explorers has continued into the day of manned space flight which unknowns carry many risks that only the most exceptional of people could overcome, and

**WHEREAS**, the bravery and heroism of our fallen Astronauts will never be forgotten and their quest for knowledge of the great unknown expanse of space will continue through the efforts of their fellow heroic Astronauts, and

**WHEREAS**, these great Astronauts have set the example for all Americans to emulate, one of Courage, Commitment to our Country, and Commitment to duty under the most arduous of circumstance, and

**WHEREAS**, the crew of space shuttle Columbia who laid their lives on the line so that all of the world would benefit, shall never be forgotten,

**THEREFORE, BE IT RESOLVED**, that the **CULPEPER COUNTY BOARD OF SUPERVISORS** resolves to remember their bravery and heroism, and

**BE IT FURTHER RESOLVED**, that the **CULPEPER COUNTY BOARD OF SUPERVISORS**, on behalf of our citizens, extends condolences to the families of the crew members.

Done, the 4<sup>th</sup> day of February 2003.

By: William Chase, Jr., Stevensburg  
Sue D. Hansohn, Catalpa District  
James C. Lee, Cedar Mountain District  
Brad C. Rosenberger, Jefferson District  
Carolyn S. Smith, West Fairfax District  
Steven L. Walker, East Fairfax District

/s/ John F. Coates  
John F. Coates, Chairman  
Culpeper County Board of Supervisors  
Salem District

Mr. Coates called for a moment of silence in remembrance of the seven Astronauts who lost their lives.

**NEW BUSINESS**

**COMMITTEE REPORTS**

**DISABILITY SERVICES BOARD ANNUAL REPORT**

Mr. David Scott, Chairman, Disability Services Board (DSB), presented an annual report on the activities of the DSB. He stated that the DSB worked diligently to provide

assistance to individuals with physical and/or sensory disabilities and gave examples of their numerous projects during the past year. He expressed concern that the needs of the disabled were in danger of not being met due to the reduction in State funding, but was pleased that the community was becoming more aware of the disabled and their requirements. He said that a needs assessment document was being updated and a copy would be provided to the Board of Supervisors later in the month.

Mr. Chase noted that during the past two years he had been serving on the State Disability Services Council, and he had not seen any grant applications from Culpeper County. He said that he would like to have a wheelchair door installed at the Administration Building. Mr. Scott stated that was an unmet need, and it would be reflected in the new needs assessment.

Mr. Coates thanked Mr. Scott for his report.

No action was taken.

**RULES COMMITTEE/JANUARY 14, 2003/8:30 A.M.**

Mr. Walker reported that the Rules Committee met and had several action items to bring to the full Board:

1. **VRS Retirement Benefits.**

Mr. Walker moved, seconded by Mr. Lee, to accept the Rules Committee's recommendation to adopt the Resolution for full, unreduced early retirement benefits at age 50 with at least 30 years of service.

Mr. Coates stated that it was his understanding there would be no additional cost to the County if the Resolution were approved. Mr. Walker assured him that the VRS had confirmed that there would be no change in the rate upon adoption of the change. He said that the VRS had asked Culpeper County to take this action since it was one of six remaining counties that had not approved the change.

Mr. Coates pointed out that the retirement age was currently 55 year of age with 30 years of service.

Mr. Rosenberger stated that he would support the motion if there was no additional cost to the County. He noted that the matter could be revisited if it was determined at a later date that there were additional costs.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

2. Proposed amendments to Personnel Management Plan: (a) Section V, 2.2 - Work Hours, Holiday, and Personal Leave; (b) Section XII, Inclement Weather Policy; and (c) Section IX, Sexual Harassment Policy.

Mr. Walker moved, seconded by Mr. Chase, to accept the recommendation of the Rules Committee to approve the proposed changes to the Personnel Management Plan.

Mr. Rosenberger expressed his concern that under the inclement weather policy, essential personnel working during the time of closing would be paid double time or be granted compensatory time for performing their regular duties. Mr. Chase and Mrs. Smith shared Mr. Rosenberger's concern.

Ms. Susanne Taylor, Human Resource Manager, explained that the intent of the amendment was to condense and clarify the current practice when County facilities were closed due to inclement weather and how essential employees were to be compensated.

Mr. Rosenberger pointed out that the difference between salaried and hourly employees had not been addressed in the proposed policy.

Sheriff Hart stated that all of his employees were essential and there were some inconsistencies in the current policy that needed to be corrected. He explained the problems he had with his civilian employees whether they were classified essential or nonessential. He referenced the situation that arose recently when 10 days of leave were granted in lieu of a pay raise. He said he had been unable to give every one of his employees 10 days off because he would not have been able to operate the Sheriff's Department.

Mrs. Hansohn asked Sheriff Hart if he had been able to give any employees time off in lieu of a pay raise. Sheriff Hart stated he had approved leave for only two of his 100 employees because it would not have been a viable situation.

Mr. Rosenberger asked if there was a concern within the Sheriff's Department relative to Compensation Board-paid dispatchers versus County-paid dispatchers. Sheriff Hart replied that was not a concern, but he did have to deal with the essential personnel issue. He said that whether employees were paid with County funds or State funds, he tried to ensure that everyone followed the same policy based upon the Constitutional office he held.

Mrs. Smith expressed concern that the County offices were closed on snow days and she felt that was a time when citizens needed County services more than ever. She said that the County should make every effort possible to keep its offices open and functioning during snowstorms, and not so pleasant weather. She pointed out that County

employees had a fairly liberal leave policy and vacation days, with the holidays that are set forth by the Governor.

Mr. Walker amended his motion to exclude the Inclement Weather Policy and to return it to the Rules Committee for further review due to the concerns expressed by Board members. Mr. Chase accepted Mr. Walker's amendment.

Mr. Coates asked Board members to forward any further comments or questions regarding the inclement weather policy to the Rules Committee. He stated he understood the concerns expressed and noted that it had been discussed at great length in Rules Committee because of its effect on EMS personnel, the Sheriff's Department, Public Works, and others.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

3. Use Permit renewal fee Tenant Units/Mobile Homes.

Mr. Walker moved, seconded by Mrs. Smith, to accept the Rules Committee's recommendation to reduce the use permit renewal fee for tenant units/mobile homes and package and special design systems, excluding biosolids applications, from \$300 to \$150.

Mr. Egertson stated that he concurred with the action of the Rules Committee.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

4. Tax Credits for Investment and Job Training. Mr. Walker asked Mr. Carl Sachs, Director of Economic Development, to explain his concept to increase economic development through tax credits and promote job training, which he had presented to the Rules Committee.

Mr. Sachs spoke at length on his concept of tax credits, economic development incentives and job training. He said that if the Board approved the concept, he would develop a written policy to be reviewed by the County Attorney, County Administrator and the Rules Committee, prior to bringing it to the full Board. He presented slides he developed on "Job Training through Tax Credits – A Local Economic Development Initiative". This covered factors affecting site location decisions, the needs of Culpeper County and what the County could offer new businesses, the type of targeted employers and their training needs.

Mr. Sachs stated that he would like to develop a tax incentive package that could be

used in marketing Culpeper to attract new businesses or help existing businesses. He said that the County now considers investment incentives on a case-by-case basis, and the concept he was proposing would not limit that flexibility. He stated that his plan was more a training program than a tax incentive program, and it would repay or credit eligible businesses for training expenses they incurred from a portion of the new taxes generated by a new investment by an existing or potential new business. The County would benefit by having a higher trained workforce, with higher wages and disposable income.

Mr. Sachs proposed that maximum credits would be 100 percent of machine and tool tax paid during the first three years if the machinery and tool tax investment was less than \$3 million; 50 percent of the real estate and personal property taxes paid each year on new investment during the first five years after the new investment became taxable; and continue on for an additional five years at 25 percent of real estate and personal property taxes paid each year. He added that if machine and tool investment was in excess of \$3 million, an additional credit equal to 50 percent of the machine and tool tax during year four and five would be provided with the employer's certification that the credit would be used to offset investment costs.

Mr. Sachs stated that training would be provided through a third-party education institution, such as Germanna Community College, and the employer would be required to certify that the training was directly related to necessary job skills. He said that employers would benefit by getting additional investment dollars, additional dollars for training and, having a higher skilled workforce; employees would benefit by obtaining higher skills, higher pay, and higher self-esteem; the educational institution would benefit by obtaining additional revenues and expanded service; and the community would benefit by having new and expanded businesses, a higher trained work force, and more disposable income.

Mr. Sachs gave examples of how the concept would work with new businesses, as well as with existing businesses. He noted that the County would be provided with a stream of revenue, and businesses would be provided with funds in the startup period. He said the County would collect more tax revenue than was being credited back and, in addition, would have new jobs and new investment.

Mrs. Hansohn inquired how the cost for training would be determined. Mr. Sachs replied that a bill from the education provider would be submitted for a specific amount of money to train a specific number of employees.

Mrs. Hansohn expressed her concern regarding the machinery and tool tax credit at 100 percent and that it was not related to how much the company had invested. Mr. Sachs

explained that the machinery and tool tax was based on an investment of at least \$500,000 in machinery and tool tax, and they would get a three year 100% credit independent of any training expenses. He added that with the tax credit for training costs, a company would pay its taxes and submit documented training expenses from a recognized training institution and be eligible to receive up to 50 percent of their taxes the first five years and 25 percent the second five years.

Mr. Coates expressed his concern that a business might relocate after the County had made an investment in it. Mr. Sachs stated that the types of businesses that would be targeted did not seem to relocate, but the policy would stipulate that if a business was no longer operating in Culpeper, regardless of what taxes they had paid or expenses incurred, they would not receive any money back from the County. He said if a business was sold and remained an eligible business, it would be able to participate in the program.

Mr. Rosenberger stated that the County needed to have safeguards built into the policy to address the issues raised by Mr. Coates and Mrs. Hansohn. Mr. Sachs assured him that safeguards would be included in the program. He pointed out that any investment made by the County would not be a 100 percent loss because employees would have been trained and the County would have a better trained workforce and be in a better position to attract other businesses.

Mr. Walker stated that the question before the Board was whether it liked the concept and whether it was interested in having a more detailed policy developed for consideration by the Rules Committee prior to Board approval.

Mr. Coates stated that a motion would be needed if the Board wished to support the concept and return it to Rules Committee for further study and development of the project.

Mrs. Smith pointed out that there was a difference between approving further study and approving to proceed with the concept. Mr. Sachs stated that he would not classify it as further study, but defining the concept in a written form that would address all of the issues raised by the Board. He said the question was whether the Board wished to approve the concept of providing an economic incentive package to businesses.

Mr. Lee moved, seconded by Mrs. Hansohn, to proceed with the development of a policy for the Board's approval that would be mutually beneficial to businesses and the County.

Mr. Walker asked the Board members to forward their questions and comments to him, Mr. Sachs, or Mr. Bossio.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

6. Proposed changes to the Board of Supervisors' Rules of Procedure. Mr. Walker stated that the County Attorney had suggested changes in the **Rules of Interpretation** by adding *Robert's Rules of Order* as a reference for governing procedure not covered by the Board of Supervisors' Rules of Procedure.

Mr. Maddox informed the Board that the changes were for clarification, with one substantive change on page 1, in which the Rules previously stated that the procedures of the Board would be governed by these Rules, and the Rules did not cover every potential situation. He said he suggested the following be added: "or, if the questioned action is not expressly covered by these procedures, by *Robert's Rules of Order*".

Mr. Walker moved, seconded by Mrs. Smith, to accept the changes suggested by the County Attorney in the Board's Rules of Procedure.

Mrs. Hansohn asked for clarification on **4-4 Motions**, page 6. She said that for a substitute motion, permission was needed from the person making the original motion, but an amended motion could be put in place without the permission of the person making the original motion. Mr. Maddox pointed out that the section dealt with "substitute" motions and not "amended" motions.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

Mr. Coates recessed the meeting at 11:33 a.m.

Mr. Coates called the meeting back to order at 11:50 a.m.

See attachment #1 for details of the meeting.

#### **E-9-1-1 BOARD OF DIRECTORS/JANUARY 24, 2003/7:30 A.M.**

Mrs. Hansohn reported that the E-9-1-1 Board of Directors met and had no action items. She said the Board of Directors did adopt the E-9-1-1 Center's Standard Operating Procedures with the understanding that Section III, Operational Policies and Procedures, would be updated by the Director of the Center in a timely manner.

See attachment #2 for details of the meeting.

#### **ECONOMIC DEVELOPMENT REPORT**

Mr. Carl Sachs reported that:

1. A mass mailing, using the Washington Metropolitan Statistical Area as the market area, was going to over 850 companies involved in customized software development. The

cost of was not prohibitive compared to the cost of advertising in one magazine; i.e. 3,000 letters could be sent at the same cost of one magazine article.

2. The Business Assistance Program for local businesses has been scheduled for March 14<sup>th</sup>. Three people from Richmond are participating and discussing business financing, workforce development and training, and general economic development tools so that local businesses can understand what is available to them.

Mrs. Hansohn thanked Mr. Sachs and his office for working with Lowe's to bring them to Culpeper.

### **AIRPORT ADVISORY COMMITTEE**

Mr. Bossio reported that the Airport Advisory Committee met on January 8<sup>th</sup> and there were no action items to bring forward. He informed the Board that State funds for the automobile parking lot, previously in jeopardy, were now being forwarded. He added that there still was a problem with water intruding into the hangars, but weather strips were being installed on the bottom of the hangar doors to alleviate the problem.

### **ADMINISTRATOR'S REPORT**

Mr. Bossio reported that:

1. The work session on countywide groundwater with Emery & Garrett is scheduled for February 19<sup>th</sup>, at 10:00 a.m.2. The School Board had given approval to the School Superintendent to negotiate a contract with Palmer and Kay for a comprehensive wage and benefit survey.

Mr. Bossio stated it would be cost effective if the County joined with the School Board and asked the Board for permission to do so.

Mrs. Smith asked if the contract would be paid from the County's General Fund or by the School Board. Mr. Bossio replied that the School and County would each pay their portion.

Mr. Lee moved, seconded by Mrs. Hansohn, to move forward with the study.

Mrs. Hansohn asked if the Board would receive the complete package when completed. Mr. Bossio stated that it would be one study with two separate pieces, but the Board would receive the complete package.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

3. The School Superintendent has requested that a Board member attend his luncheon on February 12<sup>th</sup>, from 11:45 a.m. to 1:00 p.m. He/she is to bring an item of concern and an

item of celebration. Any interested Board member should contact Ms. Crane, Deputy Clerk.

**CLOSED SESSION**

Mr. Walker moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider:

(A) potential nominees for appointment to the Agricultural Resource Advisory Committee;

(B) prospective candidates for appointment to the Building Code Appeals Board;

(C) prospective candidates for reappointment and appointment to the Disability Services Board;

(D) prospective candidates for appointment to the Economic Development Advisory Committee;

(E) prospective candidates for reappointment and appointment to the Parks & Recreation Advisory Committee;

(F) prospective candidates for appointment to the Rappahannock-Rapidan Community Services Board;

(G) potential nominees for appointment to the Local Workforce Investment Board;

(H) resignation from the Culpeper Recreation Foundation; and,

(I) resignation from the Social Services Board.

2. Under *Virginia Code* §2.2-3711(A)(1), to consider personnel matters regarding a specific County employee.

3. Under *Virginia Code* §2.2-3711(A)(7), to consult with the County Attorney regarding specific legal matters concerning the prospective legal scope of the duties of a specific County employee, which matters require legal advice.

4. Under *Virginia Code* §2.2-3711(A)(7), to consult with the County Attorney regarding legal matters concerning specific contract negotiations and related legal regulations, which require legal advice.

Seconded by Mr. Chase.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Nay – Chase

Motion carried 6 to 1.

Mr. Coates recessed the meeting at noon for lunch break.

The Board entered into closed session at 1:30 p.m.

The Board returned to open session at 3:35 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session by which the closed meeting was convened were heard, discussed or considered by the Board in the closed session.

Mr. Coates noted for the record that Mr. Chase was not present for the closed session.

Ayes – Walker, Lee, Coates, Smith, Rosenberger, Hansohn

Absent – Chase

Motion carried 6 to 0.

**RE: APPOINTMENT TO THE BUILDING CODE APPEALS BOARD**

Mr. Walker moved to appoint M. Wayne Dunn to serve on the Building Code Appeals Board. Seconded by Mrs. Smith

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: DISABILITY SERVICES BOARD**

Mr. Walker moved to reappoint Timothy M. Brown and to appoint E. Alan Anstine to serve on the Disability Services Board. Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: ECONOMIC DEVELOPMENT ADVISORY COMMISSION**

Mr. Walker moved to appoint Aaron J. Greso to serve on the Economic Development Advisory Commission. Seconded by Mrs. Smith.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: PARKS & RECREATION ADVISORY COMMITTEE**

Mr. Walker moved to reappoint Robert (Bob) Calhoun to represent the Stevensburg District, and Annemarie Steimel to represent the Jefferson District; and to appoint Harriett J. Ellison to represent the Salem District and Barbara Clatterbaugh to serve as an ex-officio member. Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD**

Mr. Walker moved to appoint Carole G. Bouthilet to the Rappahannock-Rapidan Community Services Board. Seconded by Mrs. Smith.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: LOCAL WORKFORCE INVESTMENT BOARD**

Mr. Walker moved to appoint Carl Sachs to the Local Workforce Investment Board. Seconded by Mrs. Smith.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: LETTER OF RESIGNATION**

Mr. Walker moved to accept with regret a Letter of Resignation from Phyllis Martin from the Social Services Board and direct staff to advertise for the vacancy.

Seconded by Mrs. Smith. Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

Mr. Coates stated that the Committee appointments had been made, but the list was open for discussion if any member expressed an interest in a particular committee.

Mr. Lee stated that Mr. Rosenberger was his alternate on the Disability Services

Board and that might be a problem with another Committee's meeting time. Mr. Walker agreed to serve as Alternate.

Mr. Coates stated that the Public Safety and E-9-1-1 meeting schedule needed to be discussed. He said that Mrs. Smith had agreed to serve as Chair of the Public Safety Committee provided the meeting day could be changed from Fridays. Mr. Coates suggested that the meetings be moved to Thursdays. There were no objections.

It was announced that the Public Works Committee meeting would be Wednesday, February 12<sup>th</sup> at 1:00 p.m.; and the Buildings and Grounds Committee on February 12<sup>th</sup> at 2:00 p.m.

**ADJOURNMENT**

Mrs. Smith moved, seconded by Mrs. Hansohn, to adjourn at 3:45 p.m.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Absent - Chase

Motion carried 6 to 0.

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Peggy S. Crane, CMC  
Deputy Clerk

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John F. Coates, Chairman

ATTEST:

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Frank T. Bossio  
Clerk to the Board

APPROVED: March 4, 2003

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AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON FEBRUARY 4, 2003

**Board Members Present:**

***John F. Coates, Chairman***  
***Steven L. Walker, Vice-Chairman***  
William C. Chase, Jr.  
Sue D. Hansohn  
James C. Lee  
Brad C. Rosenberger  
Carolyn S. Smith

**Staff Present:**

Frank T. Bossio, County Administrator  
John D. Maddox, County Attorney  
John C. Egertson, Planning Director  
Sam McLearen, Zoning Administrator  
Peggy S. Crane, Deputy Clerk

**CALL TO ORDER**

Mr. Coates called the meeting to order at 7:00 p.m.

**CITIZEN FORUM**

Mr. Coates called for comments on any item that was not on the agenda.

Mr. Aaron Greso, West Fairfax District, thanked the Board members for their efforts in Richmond.

With no further comments, Mr. Coates closed the Citizen Forum.

**RE: AGENDA ADDITIONS AND/OR DELETIONS**

Mr. Walker moved, seconded by Mr. Lee, to approve the agenda as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**UNFINISHED PLANNING COMMISSION BUSINESS**

**CASE NO. U-1093-02-1.** Request by Brenda K. Burgess for approval of a use permit to allow a pet grooming facility. The property is located off Route 609 in the Salem Magisterial District and contains 27.50 acres. Tax Map/Parcel No. 37/25.

Mr. Egertson displayed a tax map highlighting the location of the property being considered. He indicated that the case was before the Board in January and was postponed at the applicant's request. He reminded the Board that the Planning Commission had recommended denial of the use permit, primarily due to access to the property via a long private road called Gore Lane. He noted that staff's original

recommendation was for approval with a number of conditions to mitigate some of the concerns. He said these conditions had been revised as follows:

1. The maximum number of pets groomed per day shall be limited to six (6). [The number was previously ten (10).]
2. This facility shall be limited to grooming only. A training and/or boarding facility is not permitted.
3. The owners of property which have legal access to Gore Lane must provide written verification that they do not object to the operation of this facility prior to commencement of the operation of the business.
4. A commercial entrance built to VDOT specifications must be constructed where Gore Lane connects to Route 609.
5. The hours of operation of this facility shall be limited to 9:00 a.m. to 5:00 p.m., Monday–Friday and 9:00 a.m. to 1:00 p.m., Saturday. [The applicant requested that the hours be changed to 8:00 a.m. to 5:00 p.m.]
6. This use permit shall remain valid for a period of three (3) years.

Mr. Egertson stated that the case was ready for the Board's consideration.

Ms. Brenda Burgess, applicant, informed the Board that she was concerned about the use permit being limited to three years due to the cost involved in getting the business operational. She said that the other conditions were acceptable. She distributed two photographs showing the entrance to her property and the road, which was 13 feet wide.

Mr. Walker pointed out that during the Planning Commission meeting the hours of operation were 8:00 a.m. to 4:00 p.m. Mrs. Burgess stated that she would prefer the hours of operation be 8:00 a.m. to 5:00 p.m. He also asked if Richard Alvey's questions posed during the Planning Commission meeting had been answered. Ms. Burgess stated that they had been addressed.

Mr. Coates opened the public hearing and called for public comments.

There were none, and Mr. Coates closed the public hearing.

Mrs. Smith expressed concern about the stringent conditions being imposed upon the applicant. She did not understand why a commercial entrance was required or why the limitation of only six dogs per day.

Mr. Chase agreed with Mrs. Smith about the stringency of the conditions. He stated that a five-year period for the use permit would be more appropriate since it was not a high volume business. He felt there was not a need for a commercial entrance and asked if it was a VDOT requirement.

Mr. Egertson stated that VDOT required a commercial entrance. He said that Gore Lane was a private road and any increase in traffic beyond normal residential use would add to maintenance costs to be borne by the residents along the road, which was the reason for the condition regarding the other users' agreement with the permit. He stated that the road was about 10 to 13 feet wide, and when the applicant asked for as many as 10 dogs per day, it increased usage by 40 trips per day.

Mrs. Hansohn asked if there was a homeowners' association. Mr. Egertson stated he was not aware of any maintenance agreement for the road.

Mrs. Hansohn asked if any neighbors spoke at the Planning Commission hearing. Mr. Egertson stated that one neighbor came and spoke, and he appeared to be generally receptive to the application, but had questions about the hours of operation.

Mrs. Hansohn asked if all the neighbors were notified of the use permit application. Mr. Egertson confirmed that they were notified.

Ms. Burgess informed the Board that for as long as the land had been in her family, they had performed maintenance on the road. She said the original deed was set up so that anyone who owned property along the road could use it.

Mr. Chase moved, seconded by Mr. Walker, to approve the use permit for a period of five (5) years, the hours of operation to be 8:00 a.m. to 5:00 p.m, and with the other conditions as stated.

Mrs. Smith said she would like to support the motion, but felt that condition #3 should be removed. She pointed out that the adjacent property owners had the opportunity to address the issue at the Planning Commission meeting, as well as the Board meeting. Mr. Chase agreed to amend his motion to delete condition #3.

Mr. Walker asked Ms. Burgess if she felt condition #3 was an unfair burden. Ms. Burgess stated she had spoken to the neighbors and no objections were expressed.

Mr. Walker agreed to the amendment to the motion.

Mrs. Hansohn asked that the motion be restated for clarity.

Mr. Chase stated that his motion was to approve the use permit with the stated conditions, except to delete condition #3, change the hours of operation in condition #5 to 8:00 a.m. to 5:00 p.m., and change the term condition in #6 from three (3) years to five (5) years.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**NEW PLANNING COMMISSION BUSINESS**

**ADDITION TO THE STEVENSBURG AGRICULTURAL AND FORESTAL DISTRICT.**

Request by Payne Hay and Straw, Inc. to add 40.328 acres to the Stevensburg Agricultural and Forestal District. The property is located on Route 666 in the Stevensburg Magisterial District. Tax Map/Parcel No. 42/47B (Portion).

Mr. McLearen informed the Board that the Planning Commission had considered the case and a public hearing was held. The Planning Commission concurred with the Agricultural and Forestal Districts Advisory Committee that this was an appropriate addition to the District. He said the Planning Commission was recommending to the Board of Supervisors that the addition to the Stevensburg Agricultural and Forestal District be approved and the ordinance modifying the District be adopted.

Mr. Egertson displayed a tax map highlighting the location of the property, as well as the surrounding Agricultural and Forestal District. He said with the concurrence of both the Planning Commission and the Agricultural and Forestal Districts Advisory Committee, it was ready for the Board's consideration.

Mr. Dewayne Payne, applicant, was present to represent the case.

Mr. Coates opened the public hearing and called for public comments.

There were none, and Mr. Coates closed the public hearing.

Mr. Chase moved, seconded by Mrs. Smith, to approve the addition to the Stevensburg Agricultural and Forestal District in accordance with the recommendation of the Planning Commission and the Agricultural and Forestal Districts Advisory Committee.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**ADDITION TO THE STEVENSBURG AGRICULTURAL AND FORESTAL DISTRICT.**

Request by Kenneth Dowden to add 179 acres to the Stevensburg Agricultural and Forestal District. The property is located off Routes 15/29 and Route F721 in the Stevensburg Magisterial District. Tax Map/Parcel No. 41/108.

Mr. McLearen informed the Board that the Planning Commission had considered the second addition to the Stevensburg Agricultural and Forestal District and concurred with the Agricultural and Forestal Districts Advisory Committee that this was an appropriate addition to the District. He said the Planning Commission was recommending to the Board of

Supervisors that the addition to the Stevensburg Agricultural and Forestal District be approved and the ordinance modifying the District be adopted.

Mr. Egertson displayed a tax map that highlighted the property being considered for addition to the District and stated that it would be a valuable addition to the District. It was recommended for approval and ready for the Board's consideration.

Mr. Payne, representing the applicant, was present to answer questions.

Mr. Coates opened the public hearing and called for public comments.

There were none, and Mr. Coates closed the public hearing.

Mr. Chase moved, seconded by Mrs. Smith, to approve the addition to the Stevensburg

Agricultural and Forestal District in accordance with the recommendation of the Planning Commission and the Agricultural and Forestal Districts Advisory Committee.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**ADDITION TO THE STEVENSBURG AGRICULTURAL AND FORESTAL DISTRICT.**

Request by Patrick J. Kearney to add 75.7 acres to the Stevensburg Agricultural and Forestal District. The property is located off Route 663 in the Stevensburg Magisterial District. Tax Map/Parcel No. 53/1A.

Mr. McLearen informed the Board that the Planning Commission had considered the third addition to the Stevensburg Agricultural and Forestal District and concurred with the Agricultural and Forestal Districts Advisory Committee that this was an appropriate addition to the District. He said the Planning Commission was recommending to the Board of Supervisors that the addition to the Stevensburg Agricultural and Forestal District be approved and the ordinance modifying the District be adopted.

Mr. Egertson displayed a tax map that highlighted the property being considered for addition to the District. He said the property was being used as a vineyard and would be a valuable addition to the District. It was recommended for approval and ready for the Board's consideration.

Mr. Chase stated that the applicant was unable to be present due to a prior commitment.

Mr. Coates opened the public hearing and called for public comments.

There were none, and Mr. Coates closed the public hearing.

Mr. Chase moved, seconded by Mrs. Smith, to approve the addition to the Stevensburg

Agricultural and Forestal District in accordance with the recommendation of the Planning Commission and the Agricultural and Forestal Districts Advisory Committee.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

**CASE NO. U-1096-02-1.** Request by Grover and Rozell Amick for approval of a use permit for a package treatment plant. The property is located on Route 724 in the Stevensburg Magisterial District and contains 9.60 acres. Tax Map/Parcel No. 55/91C.

Mr. McLearen informed the Board that the case had been considered by the Planning Commission and a public hearing was held. He said the Planning Commission found the application to be consistent with Article 17 of the Zoning Ordinance and Chapter 14 of the County Code. The Planning Commission was recommending to the Board of Supervisors that the use permit be approved and be valid for a period of five (5) years.

Mr. Egertson displayed a tax map that highlighted the property being considered. He stated that the parcel would not perk, and the Health Department had verified that there were no available sites for a drainfield. The property has a tributary suitable for a discharge, which flows to Mountain Run. He said the application was ready for the Board's consideration.

Mr. Young, representing the applicant, was present to answer any questions.

Mr. Coates opened the public hearing and called for public comments.

There were none, and Mr. Coates closed the public hearing.

Mr. Chase moved, seconded by Mrs. Smith, to approve the use permit in accordance with the recommendation of the Planning Commission.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

### **ADJOURNMENT**

Mrs. Smith moved, seconded by Mrs. Hansohn, to adjourn at 7:27 p.m.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Rosenberger, Smith, Walker

Motion carried 7 to 0.

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Peggy S. Crane, CMC  
Deputy Clerk

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John F. Coates, Chairman

ATTEST:

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Frank T. Bossio  
Clerk to the Board

APPROVED: March 4, 2003